

PTO/SB/04 (09-04)  
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## SUPPLEMENTAL DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.67)

|                          |                       |
|--------------------------|-----------------------|
| Attorney Docket Number   | 42P11858              |
| First Named Inventor     | Mark T. Feuerstraeter |
| <b>COMPLETE IF KNOWN</b> |                       |
| Application Number       | 09/990,754            |
| Filing Date              | November 16, 2001     |
| Art Unit                 | 2664                  |
| Examiner Name            | Wellington Chin       |

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention enfiled:

### INTERFACE AND RELATED METHODS FOR RATE PACING IN AN ETHERNET ARCHITECTURE

*(Title of the invention)*

the specification of which

is attached hereto

**OR**

was filed on (MM/DD/YYYY) November 16, 2001 as United States Application Number or PCT International

Application Number 09/990,754

and was amended on (MM/DD/YYYY)

I hereby declare that the subject matter of the  attached amendment  amendment filed on  was part of the invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

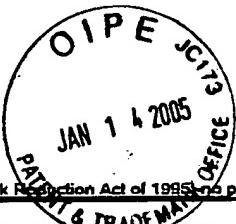
| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached? YES | Certified Copy Attached? NO |
|-------------------------------------|---------|----------------------------------|--------------------------|------------------------------|-----------------------------|
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/>     | <input type="checkbox"/>    |
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|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/>     | <input type="checkbox"/>    |

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:  A petition has been filed for this unsigned inventor

|                  |                              |
|------------------|------------------------------|
| Given Name _____ | Family Name or Surname _____ |
|------------------|------------------------------|

|               |                     |
|---------------|---------------------|
| Mark T. _____ | Feuerstraeter _____ |
|---------------|---------------------|

Date  
**4 JAN 05**

|                       |             |               |                   |
|-----------------------|-------------|---------------|-------------------|
| Residence: City _____ | State _____ | Country _____ | Citizenship _____ |
|-----------------------|-------------|---------------|-------------------|

|                   |          |           |           |
|-------------------|----------|-----------|-----------|
| Granite Bay _____ | CA _____ | USA _____ | USA _____ |
|-------------------|----------|-----------|-----------|

Mailing Address \_\_\_\_\_

6112 Oakbridge Drive

Mailing Address \_\_\_\_\_

|            |             |           |               |
|------------|-------------|-----------|---------------|
| City _____ | State _____ | ZIP _____ | Country _____ |
|------------|-------------|-----------|---------------|

|                   |          |             |           |
|-------------------|----------|-------------|-----------|
| Granite Bay _____ | CA _____ | 95746 _____ | USA _____ |
|-------------------|----------|-------------|-----------|

Name of Second Inventor:  A petition has been filed for this unsigned inventor

|                  |                              |
|------------------|------------------------------|
| Given Name _____ | Family Name or Surname _____ |
|------------------|------------------------------|

|                  |             |
|------------------|-------------|
| Bradley J. _____ | Booth _____ |
|------------------|-------------|

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

|                       |             |               |                   |
|-----------------------|-------------|---------------|-------------------|
| Residence: City _____ | State _____ | Country _____ | Citizenship _____ |
|-----------------------|-------------|---------------|-------------------|

|              |          |           |              |
|--------------|----------|-----------|--------------|
| Austin _____ | TX _____ | USA _____ | Canada _____ |
|--------------|----------|-----------|--------------|

Mailing Address \_\_\_\_\_

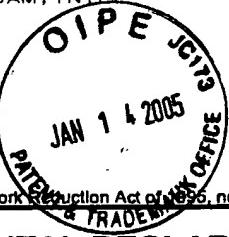
3851 Sendero Drive

Mailing Address \_\_\_\_\_

|            |             |           |               |
|------------|-------------|-----------|---------------|
| City _____ | State _____ | ZIP _____ | Country _____ |
|------------|-------------|-----------|---------------|

|              |          |             |           |
|--------------|----------|-------------|-----------|
| Austin _____ | TX _____ | 78735 _____ | USA _____ |
|--------------|----------|-------------|-----------|

Additional inventor(s) or legal representative(s) are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.



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Name of Sole or First Inventor:  A petition has been filed for this unsigned inventor

Given Name Family Name or Surname

Mark T. Feuerstraeter

Inventor's Signature

Date

Residence: City

State

Country

Citizenship

Granite Bay

CA

USA

USA

Mailing Address

6112 Oakbridge Drive

Mailing Address

City

State

ZIP

Country

Granite Bay

CA

95746

USA

Name of Second Inventor:  A petition has been filed for this unsigned inventor

Given Name Family Name or Surname

Bradley J.

Booth

Inventor's Signature

Date

01/09/05

Residence: City

State

Country

Citizenship

Austin HILLSBORO

TX OR

USA

Canada

Mailing Address

3851 Sendero Drive 1713 NE 2ND AVE

Mailing Address

City

State

ZIP

Country

Austin HILLSBORO

TX OR

78735 97129

USA

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